

**UNITED STATES DISTRICT COURT  
District of Maine**

**LINDA PENKUL o/b/o ROSALINA  
PENKUL,**

**Plaintiff**

**v.**

**CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,**

**Defendant**

**No. 2:14-cv-00156-GZS**

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on November 30, 2014, his Recommended Decision (ECF No. 28). Plaintiff filed her Objection to the Recommended Decision (ECF No. 30) on December 5, 2014. Defendant filed its Response to Plaintiff's Objection to the Recommended Decision (ECF No. 33) on December 22, 2014.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that Defendant's Motion to Dismiss (ECF No. 16) be **DENIED** as to any claim arising from the payment of all or any portion of a federal tax refund otherwise due to Rosalina Penkul to the Social Security Administration, and otherwise **GRANTED**.
3. It is hereby **ORDERED** that Plaintiff Linda Penkul demonstrate that she has authority to represent Rosalina Penkul should she make future filings with this Court.

/s/George Z. Singal

U.S. District Judge

Dated this 29<sup>th</sup> day of December, 2014.